

TEMPORARY

Serial No. **57578 T**

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. MAY 1 - 1992

Returned to applicant for correction. \_\_\_\_\_

Corrected application filed. \_\_\_\_\_ Map filed MAY 1 - 1992

The applicant Henry and Marian Filippini

Post Office Box 367 of Battle Mountain  
Street and No. or P.O. Box No. City or Town

Nevada 89820 hereby make... application for permission to change the  
State and Zip Code No.

Point of Diversion and Place of Use of a portion  
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 27088, Certificate 8722  
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is Underground  
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 2.2 c.f.s., 520 acre-feet annually  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Irrigation  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Irrigation  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 28, T.29N., R.43E., MDB&M,  
Describe as being within a 40-acre subdivision of public survey and by course and  
or at a point from which the N $\frac{1}{4}$  corner of said Section 28 bears North 41°22'  
distance to a section corner. If on unsurveyed land, it should be stated.

East, 3463 feet

6. The existing permitted point of diversion is located within SW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 17, T.29N., R.43E.,  
If point of diversion is not changed, do not answer.

MDB&M, or at a point from which the N $\frac{1}{4}$  corner of said Section 17 bears North 2°

03' West, 1401.0 feet

7. Proposed place of use 260 acres within the N $\frac{1}{2}$  Section 28, T.29N., R.43E., MDB&M  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use NW $\frac{1}{4}$  NE $\frac{1}{4}$  (40.00 ac.), NE $\frac{1}{4}$  NE $\frac{1}{4}$  (40.00 ac.), SW $\frac{1}{4}$  NE $\frac{1}{4}$  (40.00 ac.),  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

SE $\frac{1}{4}$  NE $\frac{1}{4}$  (40.00 ac.), NW $\frac{1}{4}$  SE $\frac{1}{4}$  (40.00 ac.), NE $\frac{1}{4}$  SE $\frac{1}{4}$  (40.00 ac.), SW $\frac{1}{4}$  SE $\frac{1}{4}$  (40.00  
manner of use of irrigation permit, describe acreage to be removed from irrigation.

ac.), SE $\frac{1}{4}$  SE $\frac{1}{4}$  (40.00 ac.) Section 17,  
T.29N., R.43E., MDB&M. 260 acres in the NE $\frac{1}{4}$  (160 ac.), E $\frac{1}{2}$  SE $\frac{1}{4}$  (80 ac.) and N $\frac{1}{2}$   
NW $\frac{1}{4}$  SE $\frac{1}{4}$  (20 ac.) to be removed from irrigation as shown on the supporting map

9. Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day

10. Use was permitted from January 1 to December 31 of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and

specifications of your diversion or storage works.) well, pump, motor and center pivot  
State manner in which water is to be diverted, i.e. diversion structure,

irrigation system  
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works in excess of \$20,000.00

13. Estimated time required to construct works 3 months

14. Estimated time required to complete the application of water to beneficial use..... 2 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

This application for a temporary permit is being filed as a result of the  
4/24/92 letter to Henry A. Filippini from Thomas K. Gallagher. The applicants  
were not aware that change applications to utilize the well under Permit 27090  
had not been filed until they began drilling the replacement well.

By s/ Bruce R. Scott  
Bruce R. Scott, Resource Concepts, Inc.  
340 North Minnesota Street  
Carson City, Nevada 89703

Compared..... ap/se ..... ap/se

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This temporary permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 27088, Certificate 8722 is issued subject to the terms and conditions imposed in said Permit 27088, Certificate 8722 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 57578-T and 57579-T shall not exceed 1040 acre-feet annually for the irrigation of 260 acres within the N½, Section 28, T.29N., R.43E., M.D.B.&M.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 2.2 .....cubic feet per second., but shall not exceed 520 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 15th day of May

A.D. 19 92

*[Signature]*  
State Engineer

EXPIRED

DATE MAY 14 1993

## (PERMIT TERMS CONTINUED)

The issuance of Permits 57578-T and 57579-T will reduce the amount of land irrigated under Permit 27088, Certificate 8722 and Permit 27089, Certificate 8723 to 60 acres within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  (40 acres) and the S $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  (20 acres) all in Section 17, T.29N., R.43E., M.D.B.&M.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on May 14, 1993 at which time all rights herein granted shall revert to the right being changed by this temporary permit.